



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE

REFER TO FILE: **WM-7**

June 17, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**SANTA MONICA BAY BEACHES
WET-WEATHER BACTERIA TOTAL MAXIMUM DAILY LOAD
IMPLEMENTATION PLAN FOR JURISDICTIONS 1 AND 4
SUPERVISORIAL DISTRICT 3
3 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY
OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

Award and authorize the Chief Engineer of the Flood Control District, or his designee, to execute a consultant services agreement with Psomas to prepare the Santa Monica Bay Beaches Wet-Weather Bacteria Total Maximum Daily Load (TMDL) Implementation Plan for Jurisdictions 1 and 4 for a not to exceed fee of \$550,000, including \$41,500 for unforeseen work, to be funded by the Fiscal Year 2003-04 Flood Control District Fund and to issue a Notice to Proceed following Board approval.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On July 15, 2003, the Santa Monica Bay Beaches Wet-Weather Bacteria TMDL regulation became effective. The regulations designate the County of Los Angeles and the Flood Control District as responsible agencies along with other agencies with jurisdiction over the areas that drain to the Santa Monica Bay. In the TMDL, Santa Monica Bay is divided into seven jurisdictional groups that encompass each of

the 27 coastal subwatersheds draining into Santa Monica Bay. Each of the seven jurisdictional groups is composed of a designated lead agency (based on land area) plus a number of responsible agencies. The County is the lead in Jurisdiction 1 and the City of Malibu is the lead in Jurisdiction 4. Jurisdictional Groups 1 and 4 areas include the rural watersheds and Topanga Canyon Watershed in North Santa Monica Bay.

The TMDL requires each jurisdictional group to submit an implementation plan by March 2005. In order to comply with this deadline, Jurisdictional Groups 1 and 4 are working collaboratively. This project consists of developing an implementation plan to comply with the Santa Monica Bay Beaches Wet-Weather Bacteria TMDL regulations in Jurisdictions 1 and 4. The consultant services will assist us in developing practical Best Management Practices, treatment opportunities, and other strategies.

Implementation of Strategic Plan Goals

Awarding this agreement will meet the County's Strategic Plan Goal of Fiscal Responsibility by allowing Public Works to manage resources in a more efficient and responsible manner. This project will also meet the County's Strategic Plan Goal of Organizational Effectiveness because expertise and experience to perform the required services are not currently available in Public Works.

FISCAL IMPACT/FINANCING

There will be no impact to the County's General Fund. Funding is available in the Fiscal Year 2003-04 Flood Control District Fund.

The agreement is for an aggregate not to exceed fee of \$550,000, including \$41,500 for unforeseen work, which may arise during progress of the work. Additional work within this allowance will not be performed without prior written authorization from the Chief Engineer of the Flood Control District.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

As required by your Board, language has been incorporated into the agreement stating that the consultant shall notify its employees and shall require each subconsultant to notify its employees about Board Policy 5.135, and the Safely Surrendered Baby Law, that they may be eligible for the Federal Earned Income Credit under the Federal income tax laws.

As requested by your Board on August 12, 1997, and as a threshold requirement for consideration for contract award, Psomas is willing to consider Greater Avenues for Independence Program/General Relief Opportunity for Work participants for future employment.

Psomas is in full compliance with Los Angeles County Code Chapter 2.200 (Child Support Compliance Program) and Chapter 2.203 (Contractor Employee Jury Service Program).

ENVIRONMENTAL DOCUMENTATION

A finding of environmental impact is not required for the execution of this agreement. Any project that may be proposed as a result of these services will undergo the appropriate environmental review.

CONTRACTING PROCESS

On March 22, 2004, Public Works issued a Request for Proposals (RFP) to 48 firms for the project. The RFP required that consultants which were ranked in the top 20 percent (two firms minimum) be invited to make oral presentations. Two firms, MEC Analytical Systems and Psomas, responded to the RFP. The evaluation committee, composed of staff from the Santa Monica Bay Restoration Commission and Public Works, evaluated the written proposals and then conducted oral interviews with these two firms. The evaluation committee combined the scores of the written proposals with the oral presentations and selected Psomas as the best qualified firm for this project. The evaluation of the firms was based on technical expertise, proposed work plan, experience, personnel qualifications, and understanding of the work requirements. These evaluations were completed without regard to race, creed, color, or gender. The negotiated fees have been reviewed by Public Works and are considered reasonable for the services provided.

Participation by Community Business Enterprises (CBE) in the project is encouraged through Public Works' CBE Outreach Program and the requirement that consultants demonstrate their good faith efforts to utilize CBEs. Psomas is aware of Public Works' CBE Outreach Program, and its proposed CBE participation is on file with Public Works.

Public Works has evaluated and determined that the Living Wage Program (County Code Chapter 2.201) does not apply to the recommended agreement, as this agreement is for non-Proposition A services.

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As requested by your Board on February 3, 1998, and to further increase consultant awareness of contracting opportunities with Public Works, this contract was listed on the "Doing Business with the County" website.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The project will have no adverse impact on current services.

CONCLUSION

Please return three approved copies of this letter to Public Works.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

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cc: Chief Administrative Office
County Counsel
Department of Public Social Services (GAIN/GROW Program)